

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

KENNETH ROSS,)
)
Plaintiff,)
)
v.) **Cause No. 03-CV-141-WDS**
)
GUY PIERCE and TIM LOVE,)
)
Defendants.)
)

O R D E R

STIEHL, District Judge:

This matter is before the Court for docket control. On September 7, 2006, Magistrate Judge Wilkerson entered an Order to Show Cause as to why this matter should not be dismissed for want of prosecution for plaintiff's failure to notify the Court of a change in his location, and for failure to respond to the defendants' motion for summary judgment (Doc. 31). To date, plaintiff has not filed a response to the motion to show cause or otherwise filed any pleadings in this action. The Court notes that the last filing by the plaintiff was plaintiff's brief in opposition to defendant's prior motion for summary judgment, Doc. 15, which was filed on February 22, 2005.

In light of plaintiff's failure to file a response to the Order to Show Cause, the Court **HEREBY DISMISSES** this cause of action pursuant to Fed. R. Cir. P. 41(b) for want of prosecution. This dismissal is **WITH PREJUDICE** and the Clerk of the Court is directed to enter judgment accordingly.

IT IS SO ORDERED.

DATED: September 28, 2006.

s/ WILLIAM D. STIEHL
DISTRICT JUDGE